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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/634,287   | 08/05/2003  | Timothy W. Crockett  | RPS9-2002-0138US1   | 7985             |
| 45219  | 7590        | 10/18/2005           | EXAMINER            |                  |
| KUNZLER & ASSOCIATES<br>8 EAST BROADWAY<br>SUITE 600<br>SALT LAKE CITY, UT 84111 |             |                      | NGUYEN, JIMMY H     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2673                |                  |

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |   |
|------------------------------|------------------------|---------------------|---|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |   |
|                              | 10/634,287             | CROCKETT ET AL.     | - |

  

|                 |                 |  |
|-----------------|-----------------|--|
| <b>Examiner</b> | <b>Art Unit</b> |  |
| Jimmy H. Nguyen | 2673            |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 05 August 2003.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-30 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 25 is/are allowed.  
 6) Claim(s) 1-5,7-13,16-23 and 26-30 is/are rejected.  
 7) Claim(s) 6,14,15 and 24 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

1. This Office Action is made in response to applicants' papers filed on 8/5/2003. Claims 1-30 are currently pending in the application. An action follows below:

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the features, "a touch screen" of claim 28 and "a voice recognition system" of claim 30, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

3. Claims 26-30 are objected to because of the following informalities: "input device" and "input system" have both been used to designate the same feature. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 28 and 30 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As per claims above, these claims contain the features, "an input device comprises a touch screen" of claim 28, and "an input device comprises a voice recognition system" of claim 30, which were not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The disclosure, when filed, expressly discloses a terminal or a system comprising a filtering system for filtering out selected key codes transmitted between a keyboard and a host computer. See figs. 1-8 and the corresponding description. However, the disclosure, when filed, does not expressly teach a terminal or a system comprising a filtering system for filtering out instructions transmitted between a touch screen or a voice recognition system and a host computer, in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

6. It is noted Applicants that due to the rejection under 35 USC 112, first paragraph above, the following art rejection to claims 28 and 30 are based as best understood by the Examiner.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5, 7, 9-13, 16-23, 26, 27 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsubayashi (US 4,918,444).

As per claims 1, 2, 11, 12, 19-22, 26, 27 and 29, the claimed invention reads on Matsubayashi as follows: Matsubayashi discloses a system and associate method, the system comprising a keyboard (a keyboard comprising elements 1, 21 and 22, see fig. 4); a key code filter (a combination of elements 3-7, see fig. 4); and a host computer (a personal computer, see col. 1, line 9). As noting in fig. 4, Matsubayashi discloses a keycode filter (3-7) comprising an input port for receiving a stream of key codes (key-depression data from the key matrix scanning device 21, see fig. 4, col. 2, lines 55-59), a filtering module (a module including elements 31-36 and 4-7, see fig. 4) operably connected with the input port and configured to block selected key codes and combinations of key codes (phantom key depression data, see col. 3, line 24 through col. 4, line 36); and an inherent output port connected to the filter (3-7), for receiving the key code data (see fig. 4) and transmitting the received key code data to the host computer. Accordingly, the elements and steps in these claims are read in the Matsubayashi reference.

As per claims 3, 4, 7, 9, 10 and 16-18, Matsabayashi teaches the filter (3-7) comprising a processor or microcontroller (elements 4-7, 31, 33 and 35, see fig. 4) and a memory (elements 32, 34 and 36, see fig. 4), for performing the processes as shown in the flow charts of figs. 6 and 7A-7C. See the description corresponding to figs. 6 and 7A-7C.

As per claims 5, 13 and 23, Matsabayashi also teaches the key codes (key-depression data) corresponding to keys that are pressed and release key codes corresponding to keys that are released, and wherein each key on the keyboard is characterized by a unique make key code and a unique release key code (see fig. 6, col. 4, line 66 through col. 5, line 12).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 8, 28 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsabayashi.

As per claim 8, as discussed in the rejection above, Matsabayashi discloses all the limitations of claim 8 except that Matsabayashi does not expressly teach the microcontroller configured to operate using power received from the host computer. However, Official Notice is taken that both the concept and the advantages of providing a power of the host computer to a peripheral device (i.e., a peripheral device connected and using the power of the host computer), such as a keyboard, a mouse, or input devices, are well-known and expected in the art. It would have been obvious to have the filter (i.e., including the micro controller of the filter) using the

power of the host computer because this would reduce the cost of an extra power source and reduce the power consumption since the filter only needs to activate when the host computer is used.

As per claims 28 and 30, as discussed in the rejection above, Matsubayashi discloses all the limitations of claims 28 and 30 except that Matsubayashi does not expressly teach the input device comprising a touch screen or a voice recognition system. However, Official Notice is taken that both the concept and the advantages of providing a touch screen or a voice recognition system in a keyboard are well-known and expected in the art. It would have been obvious to provide a touch screen or a voice recognition system in the keyboard of Matsubayashi because this would allow a user another means to conveniently provide inputs, such as a selection of items or a movement of an item by a touch screen or a command input by a voice recognition system.

***Allowable Subject Matter***

11. Claim 25 is allowed.
12. Claims 6, 14, 15, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
13. The following is a statement of reasons for the indication of allowable subject matter: the claimed invention is directed to a system comprising a key code filter connected between a keyboard and a host computer. Independent claim 25 and dependent claims 6, 14, 15 and 24 identifies at least uniquely distinct feature, “a rules table containing key codes and rules associated with each key code, each rule determining whether a key code is to be blocked or

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transmitted". The closest prior art, Matsubayashi as discussed above, either singularly or in combination, fails to anticipate or render the above underlined limitations obvious.

***Conclusion***

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is 571-272-7675. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JHN  
October 13, 2005

  
Jimmy H. Nguyen  
Primary Examiner  
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